

REMARKS

Claims 1-17 are pending. Applicants elect Group I, drawn to compounds of formula (I) wherein no other heterocycle is present. The claims have been amended to conform the claims to compounds having formula (I), wherein A¹, A² and A³ are independently a 5-7 membered aliphatic, aromatic or heteroaromatic ring. The claims exclude compounds wherein A¹, A² and A³ are a nonaromatic heterocyclic ring.

Applicants respectfully submit that the members of the Markush group in the amended claims are sufficiently few in number and so closely related (*i.e.*, aromatic and heteroaromatic rings both require aromaticity) that a search and examination of the entire claim can be made without serious burden. Accordingly, Applicants respectfully request that the Office examine all the members of the Markush group in amended claim 1 on the merits, pursuant to MPEP § 803.02.

Claims 18-20 have been withdrawn as directed to non-elected subject matter. Furthermore, Applicants reserve the right to request rejoinder of withdrawn process claims for using the product, which include all the limitations of the allowable product claim for examination if the product claim in Group I is subsequently found allowable (M.P.E.P. §821.04).

Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

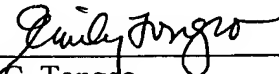
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and

authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 381092001600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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